

Message Text

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ORIGIN AEC-11

INFO OCT-01 EUR-25 NEA-10 IO-13 ISO-00 L-03 ACDA-19

CIAE-00 INR-10 NSAE-00 NSC-10 RSC-01 SCI-06 SCEM-02

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DRAFTED BY USAEC:DIP:BMCFADDEN

8/30/73 EXT. 119-4140

APPROVED BY SCI/AE:H.DANIEL BREWSTER

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L/SCI:EMAURER

NEA/INS:DKUX

NEA/INS:BLAINGEN

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R 042345Z SEP 73

FM SECSTATE WASHDC

TO AMEMBASSY NEW DELHI

INFO USMISSION IAEA VIENNA

AMCONSUL BOMBAY

AMEMBASSY BONN

USMISSION EC BRUSSELS

C O N F I D E N T I A L STATE 175888

BOMBAY FOR USAEC SCIREP

E.O. 11652 GDS

TAGS: IAEA, TECH, ESTC

SUBJECT: INDIA'S UNAUTHORIZED TRANSFER TO WEST GERMANY OF
NUCLEAR MATERIAL SUPPLIED BY US UNDER AGREEMENT
FOR COOPERATION

1. USAEC HAS LEARNED FROM EUROPEAN COMMUNITIES OFFICE
HERE THAT IN JULY INDIA TRANSFERRED TO KWU/KRT COMPANY,
WEST GERMANY, FOR FABRICATION INTO FUEL RODS FOR TARAPUR,
382,228 GRAMS ENRICHED URANIUM DIOXIDE SUPPLIED TO INDIA
BY US UNDER AGREEMENT FOR COOPERATION. USAEC APPROVAL OF
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TRANSFER WAS NOT REPEAT NOT REQUESTED.

2. THIS TRANSFER WAS A VIOLATION OF ARTICLE VII OF US-INDIA AGREEMENT FOR COOPERATION, UNDER WHICH GOI GUARANTEES THAT MATERIAL SUPPLIED PURSUANT TO THE AGREEMENT WILL NOT REPEAT NOT BE TRANSFERRED OUTSIDE GOI JURISDICTION EXCEPT AS AGREED BY US.

3. WE CONSIDER THIS VIOLATION ALL THE MORE SERIOUS BECAUSE THE MATERIAL TRANSFERRED IS PART OF MATERIAL FOR WHOSE RECEIPT GOI HAS STILL NOT REPEAT NOT COMPLETED JOINT NOTIFICATIONS TO IAEA REQUIRED BY SECTION 7 OF US-INDIA-IAEA SAFEGUARDS TRANSFER AGREEMENT (IAEA INFCIRC/154). (AS EMBASSY AWARE, WE HAVE BEEN TRYING TO GET NOTIFICATION COMPLETED SINCE JUNE.)

4. REQUEST EMBASSY EXPRESS TO GOI SOONEST, AT APPROPRIATELY HIGH-LEVEL, US CONCERN OVER NON-COMPLIANCE WITH AGREEMENT PROVISIONS CITED AND URGE PROMPT GOI REMEDIAL ACTION, AS WELL AS STEPS TO PREVENT RECURRENCE.

5. WOULD APPRECIATE ASAP ANY LIGHT EMBASSY CAN SHED ON SITUATION AND ANY RECOMMENDATIONS ON DEALING WITH PROBLEM, ALONG WITH REPORT GOI RESPONSE TO YOUR APPROACH.

6. FYI, WEST GERMAN TRANSFEREE KWU, ON LEARNING THAT MATERIAL TRANSFER HAD TAKEN PLACE WITHOUT USAEC AUTHORIZATION, ADVISED THE EUROPEAN COMMUNITIES COMMISSION. LATTER'S WASHINGTON OFFICE ON AUGUST 20 SENT INDIAN EMBASSY HERE COPIES OF USAEC MATERIAL RETRANSFER REQUEST FORM MB-10, STRESSING NEED FOR EMBASSY TO COMPLETE FORM PROMPTLY AND TRANSMIT TO USAEC SEEKING LATTER'S AFTER-THE-FACT APPROVAL. USAEC HAS NOT REPEAT NOT YET RECEIVED FORM FROM EMBASSY. RUSH

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Message Attributes

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